UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,104	11/02/2006	Jan Wim Vrijbloed	753-65 PCT/US	3652
	7590 10/14/201 & BARON, LLP	0	EXAM	IINER
6900 JERICHO	TURNPIKE		KOSAR, ANDREW D	
SYOSSET, NY 11791			ART UNIT	PAPER NUMBER
			1654	
			MAIL DATE	DELIVERY MODE
			10/14/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Application No. Applicant(s)							
Examiner And Linit ANDREW D. KOSAR Feriod for Reply AS HORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Landerson of time may is available under the processors of 37 CPR 1.736ia. In ne event, however, may a reply be trief from the correspondence address → 18 PO period for exply is specific acuse. The maintain address period will apply and will purply sufficient to however, may a reply be trief from the first of the maintain to provide the set of centrode) prince for may be all by dentate period will apply and will apply sold, MONTH from the resulting date of this communication. Falling to reply is specific acuse. The maintain address period will apply and will apply sold, MONTH from the resulting date of this communication, event family find, may reduce any owned grantly date of the communication, event family find, may reduce any owned grantly find. Part of the providence of the providence of the set of the se		Application No.	Applicant(s)				
ANDREW D. KOSAR - The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - If NO period for reply is appointed above, the reasonable with the correspondence address - Period for reply is appointed and the SMO (SMOSTHS from the mainting date of this communication. - If NO period for reply is appointed above, the reasonable predict of the progress of the period of the reply and the specified above, the reasonable prediction of the period of the reply and the specified above. The period of the reply is application to the specified above. The period of the communication. - If NO period for reply is applications, the reasonable prediction of the communication. - If NO period for reply is application to the specified above, the period of the communication. - If NO period for reply is application of the communication. - If NO period for reply is application of the communication. - If NO period for reply is application of the communication. - If NO period for reply is application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. - Disposition of Claims - Application of Claims - Application of Claims - Application is a sobjected to the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. - Disposition of Claims - Application is objected to by the Examiner. - Claim(s) 15 is/are objected to by the Examiner. - Claim(s) 15 is/are objected to by the Examiner. - Application Papers - Priority and an application is objected to by the Examiner. - Application papers - Priority under 35 U.S.C. § 119 - 10 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). - a) All by 3 Some * O Note of the priority documents have been rec		10/579,104	VRIJBLOED ET AL.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address − Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Leateness of them may be evaluate under the provised of 3 of 214 13/03/1, into event towers, may a reply be through little of the transport of the property of the provised of the provised will apply and vel express SK (6) MONTHS from the manufacture of 3 of 214 13/03/1. Into event towers, may a reply be threely filled ### If NO period for reply is specified above, the maxemum statutory protect will apply and vel express SK (6) MONTHS from the manufacture of 1 of	Office Action Summary	Examiner	Art Unit				
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of three may be available under the provisions of 37 CFR 1.306a, inno event, however, may a reply be timely filed. - Extensions of three may be available under the provisions of 37 CFR 1.306a, inno event, however, may a reply be timely filed. - Failure to reply the specified code use, the maximum statubry painted sulpy and will exagin \$K (9) MONTHS from the mailing date of this communication, over a fainth filed, may reduce any communication of the communication, over a fainth filed, may reduce any communication and patient term adjustment seem of communication (s) filed on 29 July 2010. 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☐ Claim(s) 1-15 is/are pending in the application. 4a) Of the above claim(s) 4-7 and 11-14 is/are withdrawn from consideration. 5) ☐ Claim(s) 1-15 is/are allowed. 6) ☐ Claim(s) 1-3 and 8-10 is/are rejected. 7) ☐ Claim(s) 1-3 and 8-10 is/are rejected. 10) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on 12 Mary 2006 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Application Papers 9) ☐ The specification is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12 ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a) (d) or (f). a) ☐ Hill provides of the priority documents have been received in Application No		ANDREW D. KOSAR	1654				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extension for many be admissed and the provision of 37 CFR 1.1362, into event, however, may a reply be timely lifed. - If NO period for reply is specified above, the maximum statutory prients will expect SIX (8) MONTHS from the matting case of this communication. - Failute to reply which like also cleared period for reply will be placed to extended period for reply will be provided by the second pathworth of 15 to U.S.C. § 1333. - Failute to reply which like also cleared period for reply will be placed to the second pathworth of 15 to U.S.C. § 1333. - Failute to reply which like also cleared period for reply will be placed and the provided by the placed and the placed and the reality of the communication. - Failute to reply which like also cleared period for reply will be placed and the placed and the reality of the communication. - Failute to reply which like also cleared period for reply will be placed. - Status - Status - This action is FINAL. - 2b) This action is for not allow an action is non-final. - Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. - Disposition of Claims - All Claim(s) 1-15 is/are pending in the application. - 4a) Of the above claim(s) 4-7 and 11-14 is/are withdrawn from consideration. - Claim(s) 1-3 and 3-10 is/are rejected. - Claim(s) 1-3 and 3-10 is/are rejected. - Claim(s) 1-3 and 3-10 is/are and 11-14 is/are withdrawn from consideration. - Claim(s) 1-3 and 3-10 is/are rejected. - Claim(s) 1-3 and 3-10 is/are and 11-14 is/are withdrawn from consideration. - Application Papers - 9) The specification is objected to by the Examiner. - Application papers - 9) The specification is objected to bythe Examiner. - Application papers - Application from the paper ha		ears on the cover sheet with the c	orrespondence address				
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Editations of the map be available used the provision of 3 CFR 1.13(a), in no event, however, may a rapky be timely filed after SK (3) MONITS from the realing date of this communication of 3 CFR 1.13(a), in no event, however, may a rapky be timely filed after SK (3) MONITS from the realing date of this communication, and the state of the communication of the							
1) Responsive to communication(s) filed on 29 July 2010. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-15 is/are pending in the application. 4a) Of the above claim(s) 4-7 and 11-14 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-3 and 8-10 is/are rejected. 7) Claim(s) 15 is/are objected to. 8) Claim(s) 15 is/are objected to. 8) Claim(s) 15 is/are objected to by the Examiner. 10) The specification is objected to by the Examiner. 10) The drawing(s) filed on 12 May 2006 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received.	 WHICHEVER IS LONGER, FROM THE MAILING DATE of the provisions of the may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period versions of the period for reply within the set or extended period for reply will, by statute. Any reply received by the Office later than three months after the mailing. 	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim vill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONEI	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).				
2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 Claim(s) 1-15 is/are pending in the application. 4a) Of the above claim(s) 4-7 and 11-14 is/are withdrawn from consideration. 5 Claim(s) is/are allowed. 6 Claim(s) 1-3 and 8-10 is/are rejected. 7 Claim(s) 15 is/are objected to. 8 Claim(s) 15 is/are objected to. 8 Claim(s) 15 is/are objected to by the Examiner. 10 The specification is objected to by the Examiner. 10 The drawing(s) filed on 12 May 2006 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11 The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * ○ None of: Certified copies of the priority documents have been received. 2 Certified copies of the priority documents have been received in Application No. 3 Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.	Status						
2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 Claim(s) 1-15 is/are pending in the application. 4a) Of the above claim(s) 4-7 and 11-14 is/are withdrawn from consideration. 5 Claim(s) is/are allowed. 6 Claim(s) 1-3 and 8-10 is/are rejected. 7 Claim(s) 15 is/are objected to. 8 Claim(s) 15 is/are objected to. 8 Claim(s) 15 is/are objected to by the Examiner. 10 The specification is objected to by the Examiner. 10 The drawing(s) filed on 12 May 2006 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11 The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * ○ None of: Certified copies of the priority documents have been received. 2 Certified copies of the priority documents have been received in Application No. 3 Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.	1) Responsive to communication(s) filed on 29 Ju	ılv 2010					
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-15 is/are pending in the application. 4a) Of the above claim(s) 4-7 and 11-14 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-3 and 8-10 is/are rejected. 7) Claim(s) 5 is/are objected to. 8) Claim(s) 1-3 is/are objected to. 8) Claim(s) 1-3 is/are objected to by the Examiner. 10) The specification is objected to by the Examiner. 10) The drawing(s) filed on 12 May 2006 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.							
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)	'=		secution as to the merits is				
4) ☐ Claim(s) 1-15 is/are pending in the application. 4a) Of the above claim(s) 4-7 and 11-14 is/are withdrawn from consideration. 5) ☐ Claim(s)	·— · · · · · · · · · · · · · · · · · ·						
4a) Of the above claim(s) 4-7 and 11-14 is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) 1-3 and 8-10 is/are rejected. 7) □ Claim(s) 15 is/are objected to. 8) □ Claim(s) 15 is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on 12 May 2006 is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) □ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) □ Information Disclosure Statement(s) (PTO/SB/08) 5) □ Notice of Informal Patent Application	Disposition of Claims						
4a) Of the above claim(s) 4-7 and 11-14 is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) 1-3 and 8-10 is/are rejected. 7) □ Claim(s) 15 is/are objected to. 8) □ Claim(s) 15 is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on 12 May 2006 is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) □ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) □ Information Disclosure Statement(s) (PTO/SB/08) 5) □ Notice of Informal Patent Application	4) X Claim(s) 1-15 is/are pending in the application						
5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are objected to. 7) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are is/are is/accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☐ Information Disclosure Statement(s) (PTO/SB/08) 5) ☐ Notice of Informal Patent Application							
7) Claim(s) 15 is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 12 May 2006 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of Praftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) 5) Notice of Informal Patent Application	•						
Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 12 May 2006 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/S8/08)	· <u> </u>						
Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☑ The drawing(s) filed on 12 May 2006 is/are: a) ☑ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 1) ☑ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Disclosure Statement(s) (PTO/SB/08) 5) ☐ Notice of Informal Patent Application	7)⊠ Claim(s) <u>15</u> is/are objected to.						
9) ☐ The specification is objected to by the Examiner. 10) ☑ The drawing(s) filed on 12 May 2006 is/are: a) ☑ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Disclosure Statement(s) (PTO/SB/08)	8) Claim(s) are subject to restriction and/o	r election requirement.					
10) ☐ The drawing(s) filed on 12 May 2006 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☐ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☐ Information Disclosure Statement(s) (PTO/SB/08) 5) ☐ Notice of Informal Patent Application	Application Papers						
10) ☐ The drawing(s) filed on 12 May 2006 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☐ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☐ Information Disclosure Statement(s) (PTO/SB/08) 5) ☐ Notice of Informal Patent Application	9) The specification is objected to by the Examine	r.					
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08)	,— .		by the Examiner.				
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Disclosure Statement(s) (PTO/SB/08) 10 ☐ Information Disclosure Statement(s) (PTO/SB/08)							
Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Disclosure Statement(s) (PTO/SB/08)							
12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Disclosure Statement(s) (PTO/SB/08) 1 Notice of Informal Patent Application							
a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Disclosure Statement(s) (PTO/SB/08) 5) ☐ Notice of Informal Patent Application	Priority under 35 U.S.C. § 119						
a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Disclosure Statement(s) (PTO/SB/08) 5) ☐ Notice of Informal Patent Application	12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).						
2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Disclosure Statement(s) (PTO/SB/08) 1 ☐ Notice of Informal Patent Application							
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Disclosure Statement(s) (PTO/SB/08) 5) ☐ Notice of Informal Patent Application	1. Certified copies of the priority documents have been received.						
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) * See the attached detailed Office action for a list of the certified copies not received. 4) Interview Summary (PTO-413) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application	2. Certified copies of the priority documents have been received in Application No						
* See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) * See the attached detailed Office action for a list of the certified copies not received. 4) Interview Summary (PTO-413) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application	3. Copies of the certified copies of the priority documents have been received in this National Stage						
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application	application from the International Bureau (PCT Rule 17.2(a)).						
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application	* See the attached detailed Office action for a list of the certified copies not received.						
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application							
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date Notice of Informal Patent Application	<u> </u>	. 🗖					
3) Information Disclosure Statement(s) (PTO/SB/08) 5) Information Disclosure Statement(s) (PTO/SB/08)							
	3) Information Disclosure Statement(s) (PTO/SB/08)	5) 🔲 Notice of Informal P					

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of Group I, with R¹ being Glu-Thr and R² being Thr-Lys (the pairing of AB/BC) and the sequence of Z being GTKWFSNHYQTG, in the reply filed on July 29, 2010 is acknowledged. The traversal is on the ground(s) that Applicant asserts the object of the invention is to stabilize a potential binding partner featuring a specific structural motif, the β-hairpin structure and Z is only peptides with that motif. Applicant further asserts that one of skill in the art is aware that A, B and C are selected to stabilize the β-sheet. Applicant finally argues that there is no burden to search the entire application and asserts that the search would be coextensive. This is not found persuasive because contrary to Applicant's assertions, the generic formula of claim 1 does not describe a common core structure. Z, for example, is any peptide, and while amended to describe some structural feature, does not describe a common core. The moieties $R^{1 \text{ and } 2}$ do not overlap in structure and do not describe a common core, and the presence of two cysteine residues merely separated by some undefined peptide does not provide a substantial structure. Furthermore, the search is based upon the unique structures, and contrary to applicant's assertions, the same classifications are not searched and the search for one unique R¹/R² pairing would not result in the discovery of any other. Finally, unity of invention is established with the claims presented prior to the evaluation and not following the reply to the action, as the cycle could continue ad nauseam if Applicant were allowed to amend and request reconsideration, never reaching substantive examination of the claims.

The requirement is still deemed proper and is therefore made FINAL.

Applicant indicates claims 1-3, 8-10 and new claim 15 read on the elected invention.

Claims 4-7 and 11-14 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Applicant timely traversed the restriction (election) requirement in the reply filed on July 29, 2010.

Applicant's elected species was found to be free of the prior art. The search was extended for the R¹/R² pairing Glu-Thr and Thr-Lys with the additional species of claim 3 and 10. The search was then extended to the genus of R¹ and R² pairing of Glu-Thr and Thr-Lys, where Z is any peptide 4-20 amino acids long (e.g. claim 1). Allowable subject matter is indicated below. The search was then extended within the genus of the AB/BC pairings as set forth below, specifically to GG/GG.

Allowable Subject Matter

Claim 15 would be allowable if the claim objection, set forth below, is overcome.

Additionally, Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and if limited to the R¹ and R² pairing of Glu-Thr and Thr-Lys.

Claim 1 would be allowable if limited to the R¹ and R² pairing of Glu-Thr and Thr-Lys.

Claim Objections

Claims 1, 2 and 15 are objected to because of the following informalities:

Claims 1 and 2 recite non-elected inventions (pairings other than AB and BC and species not falling within AB/BC pairing).

Claim 15 recites a sequence without a sequence identifier (SEQ ID NO).

Art Unit: 1654

Claim 9 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 9 is drawn to "a synthetic peptide having a structure which is identical to the structure of the peptide according to claim 8." This does not limit the peptide of claim 9, explicitly stating it to be "identical", and thus is not further limiting.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 lacks clear antecedent basis. Claim 1 does not provide support for Leu for any of A, B or C, and thus the claim lacks clear antecedent basis.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by WRIGHTON (N.C Wrighton et al. Science (1996) 273, pages 458-463; IDS 5/12/06).

Wrighton teaches the peptide GGCRIGPITWVCGG (e.g. Table 1), where R^{1 and 2} are each GG, Z is RIGPITWV.

Page 5

Art Unit: 1654

Claims 1-3 and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by BOUCHER (WO 00/62815 A2).

Boucher teaches the peptide GGCRGDMGGCGG (e.g. page 13), where R^{1 and 2} are each GG, Z is RGDMGG, which contains RGD.

Information Disclosure Statement

While Applicant has submitted a copy of Wrighton with the IDS, it is difficult to discern, and thus a clean copy has cited and been supplied on the enclosed IDS.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDREW D. KOSAR whose telephone number is (571)272-0913. The examiner can normally be reached on Monday - Friday 08:00 - 16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia J. Tsang can be reached on (571)272-0562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/579,104

Page 6

Art Unit: 1654

/Andrew D Kosar/ Primary Examiner, Art Unit 1654